

SENATE BILL 1781

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 11; Title 39; Title 47; Title 55, Chapter 1; Title 55, Chapter 4; Title 55, Chapter 50; Title 55, Chapter 8; Title 55, Chapter 9 and Title 70, relative to the operation of off-highway vehicles on public highways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following as a new section:

55-4-136.

(a) Any vehicle, motor-driven cycle or motorcycle that is not equipped with a windshield and that otherwise qualifies as a medium speed vehicle as defined in § 55-1-125 may be registered as a medium speed vehicle; provided, that while the vehicle, motor-driven cycle or motorcycle is in operation upon any public road of this state, the operator and each passenger shall wear a helmet in accordance with § 55-9-302 and eye protection, including glasses containing impact resistant lenses, safety goggles, or a face shield. Any motor-driven cycle or motorcycle that does not meet the requirements of 49 C.F.R. § 571.500 and otherwise qualifies as a medium speed vehicle as defined in § 55-1-125 may be registered as a medium speed vehicle if it is equipped with front and rear turn signal lamps and at least one (1) head lamp, stop lamp, tail lamp, and reflex reflector.

(b) Any vehicle, motor-driven cycle or motorcycle described in subsection (a) shall be registered as a medium speed vehicle if the operator provides an

affidavit, under penalty of perjury, on a form prescribed by the department certifying:

(1) That the vehicle, motor-driven cycle or motorcycle meets applicable safety standards as described in subsection (a); and

(2) That the operator will otherwise comply with subsection (a).

SECTION 2. Tennessee Code Annotated, Section 55-8-191(b)(1), is amended by deleting the language "forty miles per hour (40 mph)" wherever it appears and by substituting instead the language "forty-five miles per hour (45 mph)".

SECTION 3. Tennessee Code Annotated, Section 55-8-191(b), is amended by adding the following as a new subdivision:

(4) No medium speed vehicle shall be operated on a highway of the interstate and national defense highway system. Unless prohibited pursuant to subdivision (b)(2) or (b)(3), medium speed vehicles may be operated on other limited access or divided highways having two (2) or more lanes in each direction.

SECTION 4. Tennessee Code Annotated, Section 55-8-191(c), is amended by deleting the language "Class D driver license" and by substituting instead the language "Class D or Class M driver license, whichever is applicable".

SECTION 5. Tennessee Code Annotated, Section 55-8-185(a), is amended by deleting the following language:

Off-highway motor vehicles defined in § 55-3-101(c)(2) may be operated or driven upon a highway but only as follows:

and by substituting instead the following language:

No off-highway motor vehicle defined in § 55-3-101(c)(2) shall be operated or driven upon a highway unless the vehicle meets the requirements for medium speed vehicles as provided in § 55-8-101, is operated or driven pursuant to subsections (c) or (e), or is operated or driven for the purpose of crossing a highway as follows:

SECTION 6. Tennessee Code Annotated, Section 55-1-125, is amended by deleting the section in its entirety and by substituting instead the following:

55-1-125.

"Medium speed vehicle" means any electric or gasoline-powered motor vehicle or motorized vehicle with not less than four (4) but no more than six (6) wheels, and any motor-driven cycle or motorcycle with not more than three (3) wheels, that meets or exceeds the federal safety standards set forth in 49 C.F.R. § 571.500, except as otherwise provided in § 55-4-136. "Medium speed vehicle" includes neighborhood electric vehicles and mini-trucks. "Medium speed vehicle" does not include golf carts.

SECTION 7. Tennessee Code Annotated, Section 55-8-101(32), is amended by deleting the subdivision in its entirety and substituting instead the following:

(32) "Medium speed vehicle" means any electric or gasoline-powered motor vehicle or motorized vehicle with not less than four (4) but no more than six (6) wheels, and any motor-driven cycle or motorcycle with not more than three (3) wheels, that meets or exceeds the federal safety standards set forth in 49 C.F.R. § 571.500, except as otherwise provided in § 55-4-136. "Medium speed vehicle" includes neighborhood electric vehicles and mini-trucks. "Medium speed vehicle" does not include golf carts.

SECTION 8. Tennessee Code Annotated, Section 55-50-102(35), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(35) "Medium speed vehicle" means any electric or gasoline-powered motor vehicle or motorized vehicle with not less than four (4) but no more than six (6) wheels, and any motor-driven cycle or motorcycle with not more than three (3) wheels, that meets or exceeds the federal safety standards set forth in 49 C.F.R. § 571.500, except

as otherwise provided in § 55-4-136. "Medium speed vehicle" includes neighborhood electric vehicles and mini-trucks. "Medium speed vehicle" does not include golf carts.

SECTION 9. Tennessee Code Annotated, Section 55-1-103(c), is amended by deleting the language "in this section" and by substituting instead the language "in this chapter".

SECTION 10. This act shall take effect July 1, 2014, the public welfare requiring it.